

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Avi ASHKENAZI, et al.

Application Serial No. 09/902,713

Filed: July 10, 2001

For: **ANTIBODIES TO PRO269  
POLYPEPTIDES**



Examiner: Roark, Jessica H.

Art Unit: 1644

Attorney's Docket No. 39780-1618 P2C34

Customer No. 35489

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Date Mailed: OCTOBER 16, 2003

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

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Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Supplemental Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If Supplemental Form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)

-- OR --

☐ (2) It is being filed within 3 months of entry of a national stage

-- OR --

☐ (3) It is being filed before the mail date of the first Office Action on the merits

-- OR --

☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; or

☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-1618 P2C34).**

Respectfully submitted,

Date: October 16, 2003

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<b>SUPPLEMENTAL Form PTO-1449</b>		Attorney's Docket No. 39780-1618 P2C34		Application Serial No. 09/902,713				
<b>INFORMATION DISCLOSURE STATEMENT</b>		Applicant(s) <b>Avi ASHKENAZI, et al.</b>						
<i>(use several sheets if necessary)</i>		Filing Date: July 10, 2001		Group Art Unit: 1644				
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials	Ref. No.	Date	Document No.	Name	Filing Date (if appropriate)			
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
	1.	4/1973	1313412	GB				
<b>OTHER DOCUMENTS</b> <i>(including author, title, date, pertinent pages, etc.)</i>								
Examiner Initials	Ref. No.	Title						
	2.	GenBank, P-AAX52231, WO 99/14328 (25-MAR-19).						
	3.	GenBank, P_ABK40260, WO 01/53486 (26-JUL-2001).						
	4.	GenBank, P-AAF72389, WO 01/04311 (18-JAN-2001).						
	5.	GenBank, P_AAS21421, WO 01/40466 (07/JUN-2001).						
	6.	GenBank, P-AAA77570, WO 00/32221 (08-JUN-2000).						
	7.	GenBank, ALI161751, Heilig et al., (submitted: 21-NOV-2001).						
	8.	GenBank, AX201334, WO 01/53486 (SEQUENCE 13; 26-JUL-2001).						
	9.	GenBank, AX464222, WO 01/40466 (SEQUENCE 355; 16-JUL-2002).						
	10.	GenBank, BD075446, JP 2001516580 (02-OCT-2001).						
	11.	GenBank, P_AAC58625, WO 00/53758 (14-SEP-2000).						
	12.	GenBank, CNSLT115K, Li et al., (submitted: 30-JAN-2003).						
	13.	GenBank, CNS07EEV, Heilig et al. (submitted: 28-APRI-2001).						
	14.	GenBank, NM_175060, Li et al., (submitted: 07-FEB-2003).						
	15.	GenBank, P_AAA23458, WO 00/11015 (02-MAR-2000).						
	16.	GenBank, BC031567, Strausberg et al. (submitted: 06-JUN-2002).						
	17.	GenBank, P_AAA26284, WO 00/11014 (02-MAR-2000).						
	18.	GenBank, P_AAD12591, WO 01/49728 (12-JUL-2001).						
	19.	GenBank, AX191564, WO 01/49728 (SEQUENCE 86; 12-JUL-2001).						
	20.	Dayhoff, P_AAU86134, WO 01/53486 (26-JUL-2001).						
	21.	Dayhoff, P_AAE06596, WO 01/49728 (12-JUL-2001).						
	22.	Dayhoff, P_AAU12349, WO 01/40466 (07-JUN-2001).						
	23.	Dayhoff, P_AAY95016, WO 00/11015 (02-MAR-2000).						
	24.	Dayhoff, P_AAB24403, WO 00/32221 (08-JUN-2000).						
	25.	Dayhoff, P_AAB33460, WO 00/53758 (14-SEP-2000).						
	26.	Dayhoff, P_AAY13360, WO 99/14328 (25-MAR-1999).						
	27.	Dayhoff, CAD62342 (submitted: 30-JAN-2003).						
	28.	Dayhoff, CAS1170.1, WO 01/49728 (12-JUL-2001).						
	29.	Dayhoff, NP_778230.1, Li et al. (UNKNOWN).						
	30.	Dayhoff, AAH31567.1, Strausberg et al. (submitted: 06-JUN-2002).						

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).